

Senate Bill 24

Senators Hamrick of the 30th, Mullis of the 53rd and Heath of the 31st

A BILL TO BE ENTITLED

AN ACT

To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to regulation of controlled substances, so as to regulate the sale of products used in the preparation of methamphetamine; to provide for a definition; to prohibit certain activities with respect to such products; to provide for criminal penalties; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to regulation of controlled substances, is amended by adding a new Code section immediately following Code Section 16-13-30.3, to be designated Code Section 16-13-30.4, to read as follows:

"16-13-30.4.

(a) As used in this Code section, the term 'product used in the preparation of methamphetamine' means any compound, mixture, preparation or drug product containing a dosage of 18 milligrams or more of ephedrine, pseudoephedrine, or phenylpropanolamine, or any of their salts, isomers, or salts of isomers, alone or in a mixture.

(b)(1) It shall be unlawful for any person to openly display for sale a product used in the preparation of methamphetamine. Any product used in the preparation of methamphetamine shall be maintained behind the counter, in a locked cabinet, or in another secure location and shall only be distributed for sale by a licensed pharmacist, pharmacy technician, sales clerk, or other retail distributor employee.

(2) It shall be unlawful for any person to dispense, sell, or distribute a product used in the preparation of methamphetamine without requiring the individual purchasing, receiving, or otherwise acquiring such product to produce a photo identification showing their date of birth and to sign a written log or receipt showing their signature, printed name, date of transaction, and type and amount of product purchased. Such log or receipt

1 shall be maintained by the person dispensing, selling, or distributing the product for a
2 period of one year from the date of transaction.

3 (c) Any person who violates the provisions of this Code section shall be guilty of a
4 misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment not to exceed six months or both."

6 **SECTION 2.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval.

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.